THE HON'BLE SRI JUSTICE BILAL NAZKI
AND
THE HON'BLE SRI JUSTICE M.VENKATESWARA REDDY

–

WRIT PETITION No.24024 OF 2004

DATE: 03-08-2006

Between:

G.Damodar Reddy.

..Petitioner.

A N D

The Superintending Engineer,
Irrigation & Command Area Development
Irrigation Circle, Bobbili and others.

…Respondents.

THE HON'BLE SRI JUSTICE BILAL NAZKI
AND
THE HON'BLE SRI JUSTICE M.VENKATESWARA REDDY

–

WRIT PETITION No.24024 OF 2004

ORDER: *(Per Hon'ble Sri Justice Bilal Nazki)*

Heard learned counsel for the parties.

The case of the petitioner is that he had executed the work in terms of a contract and had completed all works and therefore, he is entitled to bills in addition to E.M.D., F.S.D. and also to some bank guarantees.

Counter is not filed although two years have gone by. While admitting the writ petition, in W.P.M.P. No.31472 of 2004 this Court passed the following order on 10.02.2005:

> *"Pending further orders, it is directed that the respondents shall release in favour of the petitioner, the undisputed amount, within six weeks from today."*

We think that the writ petition can be disposed of in terms of the order passed by this Court on 10.02.2005 because in any case for disputed payment this Court would not entertain the controversy in this petition under Section 226 of the Constitution of India and for any undisputed amounts the respondent would have no defence to resist payment.

The learned counsel for the petitioner submits that even the undisputed amounts have not been paid. Therefore, respondents are granted three months to pay the undisputed amounts.

Accordingly, the writ petition is disposed of.

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BILAL NAZKI, J.

Date: 03.08.2006.

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M.VENKATESWARA REDDY, J.

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